

CLOSED

**U.S. District Court  
Eastern District of New York (Central Islip)  
CIVIL DOCKET FOR CASE #: 2:05-cv-00957-DRH  
Internal Use Only**

Linzer v. Veeco Instruments, Inc. et al  
Assigned to: Senior-Judge Denis R. Hurley  
Cause: 15:78m(a) Securities Exchange Act

Date Filed: 02/18/2005  
Jury Demand: Plaintiff  
Nature of Suit: 850  
Securities/Commodities  
Jurisdiction: Federal Question

**Plaintiff**

**Barry Linzer**  
*on behalf of himself and all others  
similarly situated*

represented by **Mark Casser Gardy**  
Abbey Gardy, LLP  
212 East 39th Street  
New York, NY 10016  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

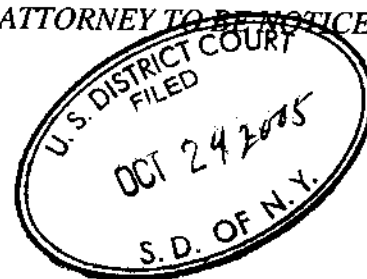
**Veeco Instruments, Inc.**

**Defendant**

**Edward H. Braun**

**Defendant**

**John F. Rein, Jr.**



| Date Filed | #          | Docket Text   |
|------------|------------|---|
| 02/18/2005 | ● <u>1</u> | COMPLAINT against Veeco Instruments, Inc., Edward H. Braun, John F. Rein, Jr filing fee \$ 250, receipt number 306079, filed by Barry Linzer. (Attachments: # <u>1</u> Civil Cover Sheet)(Duong, Susan) (Entered: 02/23/2005) |
| 02/18/2005 | ●          | Summons Issued as to Veeco Instruments, Inc., Edward H. Braun, John F. Rein, Jr. (Duong, Susan) (Entered: 02/23/2005)   |
| 02/28/2005 | ●          | Case Ineligible for Arbitration(Bollbach, Jean) (Entered: 02/28/2005)   |
| 04/04/2005 | ● <u>2</u> | ORDER This case has been referred to E. Thomas Boyle Mag. Judge for   |

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|            |     | purposes of scheduling discovery, resolution of discovery disputes, settlement conferences. Initial Conference set for 6/28/2005 9:30 AM before Magistrate-Judge E. Thomas Boyle. (See Order for further instructions). Signed by Judge E. Thomas Boyle on 4/4/05. (Lundy, Lisa) Modified on 4/5/2005 (Lundy, Lisa). (Entered: 04/05/2005)   |
| 04/13/2005 | ●3  | STIPULATION re <u>1</u> Complaint <i>to be amended within sixty (60) days of the appointment of lead plaintiff. Defendants must answer, move or otherwise respond to the consolidated amended complaint forty-five (45) days after the filing of the consolidated amended complaint with the court. Service of Plaintiff's Original Class Action Complaint accepted by Veeco Instruments, Inc., Edward H. Braun, John F. Rein, Jr. (Serio, Robert)</i> (Entered: 04/13/2005)   |
| 04/21/2005 | ●4  | ORDER. The initial conferences previously set for June 28, 2005 at 9:30 a.m. before the undersigned have been rescheduled for October 17, 2005 at 9:30 a.m. at the Alfonse M. D'Amato U.S. Courthouse, Courtroom 830, Central Islip, New York. All counsel shall be present. SEE order for further details. Ordered by Judge E. Thomas Boyle on 4/21/05. Defendants' counsel is directed to serve a copy of this order on all parties upon receipt. (Joy, Dolores) (Entered: 04/21/2005)   |
| 04/29/2005 | ●5  | NOTICE by Veeco Instruments, Inc., Edward H. Braun, John F. Rein, Jr <i>have filed with the Judicial Panel on Multidistrict Litigation ("MDL Panel") a Motion to Transfer and Consolidate Actions ("Motion") pursuant to 28 U.S.C. sect. 1407</i> (Attachments: # <u>1</u> Exhibit A - Notice of Motion# <u>2</u> Exhibit B - Memorandum of Law# <u>3</u> Exhibit C - Declaration) (Serio, Robert) (Entered: 04/29/2005)   |
| 05/11/2005 | ●6  | Letter from Wm. Terrell Hodges, Chairman, JPMDL, to Involved Judges dated 5/4/05 re: presently before the Panel pursuant to 28:1407 is a motion to transfer which includes at least one action before you re: MDL-1695 In re Veeco Instruments Inc. Securities Litigation. The parties will have an opportunity to fully brief the question of transfer and the matter will be considered at a bimonthly Panel hearing session. In the meantime, your jurisdiction continues until any transfer ruling by the Panel become effective. (Mahon, Cinthia) (Entered: 05/16/2005) |
| 06/06/2005 | ●7  | NOTICE by Veeco Instruments, Inc., Edward H. Braun, John F. Rein, Jr <i>of Filing with MDL Panel of Reply Memorandum in Support of the Motion to Transfer and Consolidate Actions</i> (Serio, Robert) (Entered: 06/06/2005)  |
| 06/17/2005 | ●8  | Letter from Michael J. Beck, Clerk, JPMDL, dated 6/14/05 re: Notice of Hearing Session on 7/28/05 at the Alfred A. Arraj U.S. Courthouse in Denver, Colorado 80202 at 9:30 a.m. re: MDL-1695 In re Veeco Instruments Inc. Securities Litigation. (Mahon, Cinthia) (Entered: 06/23/2005)  |
| 08/25/2005 | ●10 | Letter from Dorothy Guranich, Deputy Clerk, SDNY, to Clerk, EDNY, dated 8/23/05 re: enclosing a cert. copy of the transfer order of the JPMDL transferring this action to the SDNY and assigning it to Judge   |

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|            |     | McMahon for coordinated or consolidated pretrial proceedings pursuant to 28:1407. RE: MDL-1695 In re Veeco Instruments Inc. Securities Litigation SDNY Case # 05cv7447. (Mahon, Cinthia) (Entered: 10/07/2005)  |
| 08/25/2005 | ●12 | TRANSFER ORDER (cert. copy) pursuant to 28:1407 this action is transferred to the SDNY, with the consent of that court, and assigned to the Hon. Colleen McMahon. Issued by the JPMDL on 8/22/05. Re: MDL-1695 In re Veeco Instruments Inc. Securities Litigation. (Mahon, Cinthia) (Entered: 10/07/2005)   |
| 08/25/2005 |     | ***Civil Case Terminated. (Mahon, Cinthia) (Entered: 10/11/2005)  |
| 08/26/2005 | ●9  | Letter from Clerk, JPMDL, to J. Michael McMahon, Clerk, SDNY, dated 8/22/05 re: enclosing a cert. copy of a transfer order filed today by the Panel in this matter. The Panel's governing statute 28:1407, requires that the transferee clerk "transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred. RE: MDL-1695 In re Veeco Instruments Inc. Securities Litigation (Mahon, Cinthia) (Entered: 09/14/2005) |
| 10/07/2005 | ●11 | ORDER. The initial conference scheduled for October 17, 2005 at 9:30 a.m. is canceled, based on the MDL Panel Transfer Order, dated August 22, 2005. Defendants' counsel is directed to serve a copy of this Order on counsel for all parties appearing in this case. Ordered by Judge E. Thomas Boyle on 10/7/05. (Joy, Dolores) (Entered: 10/07/2005)   |
| 10/07/2005 | ●   | Judge E. Thomas Boyle no longer assigned to case. (Lundy, Lisa) (Entered: 10/07/2005)   |

